



**The Comptroller General
of the United States**

Washington, D.C. 20548

Decision

Matter of: Eutaw Construction Company, Inc.

File: B-236052

Date: July 31, 1989

DIGEST

Protest generally alleging only that allowing post-bid opening bid corrections compromises the integrity of the procurement system does not state a valid basis for protest since bid correction is a procedure permitted by applicable regulations.

DECISION


Eutaw Construction Company, Inc., protests the award of a contract to Monroe Allen Contractor, Inc., under solicitation No. SCS-13-MS-89 that was issued by the Soil Conservation Service, Department of Agriculture. The protester contends that Monroe's bid should have been rejected as an "irregular bid," because after bid opening Monroe informed the agency that its bid contained a mistake and requested an upward correction of it. The agency granted the request.

This protest does not state a valid basis of protest. The protester merely states that the agency should not have allowed any post-bid opening bid corrections because they compromise the integrity of the procurement system; the protester does not allege any agency improprieties concerning the bid correction itself. Bid corrections, however, are neither irregular nor uncommon. Section 14.406 of the Federal Acquisition Regulation (FAR 84-12) specifically provides for the correction of mistakes in bids. While contracting agencies must be sensitive to the need to protect the integrity of the competitive bidding system and may not allow bidders to routinely modify their bids after bid opening, the regulations allow a bid to be corrected only upon the submission of clear and convincing evidence of the existence of a mistake and of bid intended. See FAR § 14.406-3(a). Imposition of this strict evidentiary standard is intended to protect the integrity of the competitive system while allowing the government to reap the benefit of accepting a bid that clearly would have been low

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even the mistake had not been made. See Southwest Truck
Body Co., B-208973, Dec. 27, 1982, 82-2 CPD ¶ 580.

We dismiss the protest.

A handwritten signature in cursive script, reading "Ronald Berger".

Ronald Berger
Associate General Counsel